

**COMMONWEALTH OF VIRGINIA**  
**Department of Environmental Quality**  
**Valley Regional Office**

**STATEMENT OF LEGAL AND FACTUAL BASIS**  
**Significant Permit Modification**

Crown Cork and Seal Company USA, Inc.  
Winchester, Frederick County, Virginia  
Permit No. VRO80237  
Effective Date: September 7, 2004  
Expiration Date: September 6, 2009

As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Crown Cork and Seal Company USA, Inc. has applied for a significant permit modification to the Title V Operating Permit for its aluminum beverage can end manufacturing facility in Winchester, Frederick County, Virginia. The Department has reviewed the application and has prepared a modified Title V Operating Permit.

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## **REQUESTED MODIFICATION**

The Valley Regional Office of the Department of Environmental Quality (DEQ) received a request from Crown Cork and Seal Company USA, Inc. on June 11, 2007 for changes to its Title V operating permit. The change, listed below, is considered a significant modification to the permit, as defined in 9 VAC 5-80-230. Crown Cork and Seal Company USA, Inc. has requested that the permit be changed to:

Include the permit conditions that have been changed from Crown Cork and Seal Company USA, Inc.'s minor new source review (NSR) permit dated May 10, 2007 to install an additional conversion press on their can end line No. 3, increasing the line's production capacity from 450,000 ends/hr to 487,500 ends/hr. Additionally, the source requested to lower their VOC emission limit for their three can end lines (Nos. 1, 2 and 3) from 337 tons per year (TPY) to 217 TPY.

## **REASON FOR MODIFICATION**

Crown Cork and Seal Company USA, Inc. submitted a minor NSR permit application dated December 7, 2006 and supplemental information dated February 16, 2007, March 26, 2007 and April 3, 2007, requesting the installation of an additional conversion press on can end line No. 3. The supplemental information included a request to lower their current VOC emission limit for their three can end lines (Nos. 1, 2 and 3) from 337 tons per year (TPY) to 217 TPY so the net emissions increase (NEI) for the project would be less than 10 TPY, thus not requiring a Best Available Control Technology (BACT) analysis. The new 217 TPY VOC limit includes emissions associated with the usage of cleaning solvents for the can end lines. A minor NSR permit was issued to the facility on May 10, 2007 for the modifications described above. The proposed Title V permit incorporates the new applicable requirements from the May 10, 2007 minor NSR permit.

## **APPLICABILITY OF 9 VAC 5-80-230**

According to 9 VAC 5-80-230, significant modification procedures must be used for those permit modifications that do not qualify as minor permit modifications under 9 VAC 5-80-210 or as administrative amendments under 9 VAC 5-80-200. Crown Cork and Seal Company USA, Inc.'s proposal does not meet the specifications for an administrative amendment or a minor permit modification. The Regulations further list criteria, any of which, if met, require use of significant modification procedures. The changes proposed by Crown Cork and Seal Company USA, Inc. meet the following criterion, stated in 9 VAC 5-80-230.A.2:

*Significant modification procedures shall be used for those permit modifications that require or change a case-by-case determination of an emission limitation or other standard,...*

This is because Crown Cork and Seal Company USA, Inc.'s Title V permit modification requires the establishment of emission limitations and standards through the incorporation of the new applicable requirements in the minor NSR permit dated May 10, 2007 to install an additional conversion press on their can end line No. 3, and lower their VOC emission limit for

their three can end lines (Nos. 1, 2, and 3). Since the changes proposed by Crown Cork and Seal Company USA, Inc. meet at least one criterion listed in 9 VAC 5-80-230 and do not qualify as an administrative amendment or minor permit modification, the changes must be processed as a significant permit modification.

## **CHANGES TO TITLE V OPERATING PERMIT**

The following are changes made to the existing Title V permit. The conditions and/or section numbers listed below refer to the modified Title V permit.

### **II. Emission Units:**

Can end line No. 3's production capacity was increased to 487,500 ends/hr., to reflect the minor NSR permit dated May 10, 2007.

### **III. Process Equipment Requirements – 202 End Lines (Lines 1, 2, 3):**

#### *Limitations*

Condition III.A.1: Condition was updated with new language, as reflected in the minor NSR permit dated May 10, 2007.

Condition III.A.2: Condition was updated with new language, as reflected in the minor NSR permit dated May 10, 2007.

Condition III.A.3: Condition was added, requiring air pollution practices for minimizing VOC emissions, as reflected in the minor NSR permit dated May 10, 2007.

Condition III.A.4: Condition was modified, requiring an annual VOC throughput limit equivalent to the VOC emission limit for the purposes of demonstrating compliance with the emission limit, as reflected in the minor NSR permit dated May 10, 2007.

Condition III.A.6: Condition was added, requiring an annual VOC emission limit, as reflected in the minor NSR permit dated May 10, 2007.

#### *Monitoring and Recordkeeping*

The following condition was removed from the Title V permit. Please note the condition number refers to the existing Title V permit.

Condition III.B.1: Since Condition III.B.1 of the modified Title V Permit will provide recordkeeping requirements for the VOC content of each end seal compound and tab lube used (as reflected in the minor NSR permit dated May 10, 2007), including this condition in the modified Title V permit would be redundant and unnecessary.

The following condition subparts have been modified or added in the Title V permit, which reflect the requirements from Condition 7 of the minor NSR permit dated May 10, 2007. Please note the condition number refers to the modified Title V permit.

Condition III.B.1.a: Condition subpart was updated with current boilerplate language, requiring recordkeeping of monthly and annual throughput of each end seal compound, tab lube and cleaning solvent used, in gallons, on each end can line.

Condition III.B.1.b: Condition subpart was added, requiring recordkeeping of monthly and annual throughput of VOC from each end seal compound, tab lube and cleaning solvent used, in gallons, on each end can line.

Condition III.B.1.c: Condition subpart was updated with new language, requiring recordkeeping of VOC content in pounds per gallon for each end seal compound used.

Condition III.B.1.d: Condition subpart was updated with new language, requiring recordkeeping of VOC content in pounds per gallon for each tab lube used.

Condition III.B.1.e: Condition subpart was added, requiring recordkeeping of VOC content, water content and solids content for each cleaning solvent used on the can end lines.

Condition III.B.1.f: Condition subpart was updated with current boilerplate language, requiring recordkeeping of monthly and annual VOC emissions, in tons.

The following condition has been modified in the Title V permit. Please note the condition number refers to the modified Title V permit.

Condition III.B.2: Condition was updated with new language to reflect the requirements from Condition 12 of the minor NSR permit dated May 10, 2007

The following conditions have been modified in the Title V permit. Please note the condition number refers to the modified Title V permit.

**VIII. General Conditions:**

Condition VIII.C.3.b.(2): Condition subpart was updated with current boilerplate language.

Condition VIII.E: “VRO” was changed to “Valley”.

Condition VIII.J: Condition was updated with current boilerplate language.

Condition VIII.Y: Condition was updated with current boilerplate language.

## **PUBLIC PARTICIPATION**

The public participation requirements of 9 VAC 5-80-270 apply to significant permit modifications. A public notice regarding the draft permit was placed in the Winchester Star, Winchester, Virginia, on December 26, 2007. EPA was sent a copy of the draft permit and notified of the public notice on January 2, 2008. West Virginia, Pennsylvania, and Maryland were sent a copy of the public notice via e-mail dated December 26, 2007. All persons on the Title V mailing list were also sent a copy of the public notice via email dated December 26, 2007.

Public comments will be accepted from December 28, 2007 to January 27, 2008.

## **ATTACHMENTS**

Attachment A – New Source Review Permit dated 5/10/07.

**ATTACHEMENT A**

**New Source Review Permit dated 5/10/07**